

Free only

ATTN:FW

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 28, 2004

Signature: *Michael A. Chirland*

(Michael A. Chirland)

Docket No.: 30412/30000A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Levine et al.

Application No.: 10/612,199

Art Unit: 2859

Filed: July 1, 2003

Examiner: Tania C. Courson

For: STUD FINDER

AMENDMENT "B" AND RESPONSE TO FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated December 7, 2004, please amend the above-identified U.S. patent application as follows:

Amendments to the claims are reflected in a current listing of the Claims which begins on Page 2 of this paper.

Remarks/Arguments begin on Page 15 of this paper.

03/09/2005 ADAVID 00000002 132055 10612199

01 FC:1201

200.00 DA

New Claim 81


New claim 81 recites *inter alia*, a normally open momentary switch. A momentary switch is a switch that switches contacts only while an external force is applied thereto. This new claim is supported in the specification as originally filed in paragraph [0056], lines 9-12 which describes a normally open momentary switch. No new matter has been added. Furthermore, none of the cited art discloses or suggests a normally open momentary switch.

Conclusion

For the foregoing reasons, Applicants respectfully request reconsideration and allowance of claims 1-81. If there are matters that can be discussed by telephone to further the prosecution of this application, Applicants respectfully request that the Examiner call its attorney at the number listed below. If there are any additional fees or refunds required, the Commissioner is directed to charge or debit Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP. A copy of this paper is enclosed herewith.

Respectfully submitted,

By:


Michael A. Chinlund
Registration No. 55,064
MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
312-474-6300

February 28, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 10/612199	
CLAIMS AS FILED - PART I					SMALL ENTITY OR OTHER THAN SMALL ENTITY	
(Column 1)		(Column 2)		(Column 3)		
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	
BASIC FEE (37 CFR 1.16(a))					\$ _____	
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =			X \$ _____ =		
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =			X \$ _____ =		
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$ _____ =		
				TOTAL		
<p>* If the difference in column 1 is less than zero, enter "0" in column 2.</p>						
CLAIMS AS AMENDED - PART II					SMALL ENTITY OR OTHER THAN SMALL ENTITY	
(Column 1)		(Column 2)		(Column 3)		
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
	Total (37 CFR 1.16(c))	Minus	**	X \$ _____ =		
	Independent (37 CFR 1.16(b))	Minus	***	X \$ _____ =		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			+ \$ _____ =		
				TOTAL ADD'L FEE		
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
	Total (37 CFR 1.16(c))	Minus	**	X \$ _____ =		
	Independent (37 CFR 1.16(b))	Minus	***	X \$ _____ =		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			+ \$ _____ =		
				TOTAL ADD'L FEE		
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
	Total (37 CFR 1.16(c))	Minus	**	X \$ _____ =		
	Independent (37 CFR 1.16(b))	Minus	***	X \$ _____ =		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			+ \$ _____ =		
				TOTAL ADD'L FEE		
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>						

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.